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JOSE ALFREDO ARELLANO AND
6 BERTHA MORENO

7
8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA

10 LANDMARK HOME MORTGAGE, INC.

Case No. 07-CV-04654-JF

11 Plaintiff,

12 Vs.

**DEFENDANTS, JOSE ALFREDO
ARELLANO AND BERTHA MORENO,
JOINT INITIAL DISCLOSURES
[FRCP RULE 26(a)(1)]**

13
14 GUILLERMO FLORES, ALVIN
SIBLERNAGEL, INC. dba ATLAS
15 FINANCIAL SERVICES and ATLAS
REALTY, BERTHA MORENO, JOSE
16 ARELLANO, ROBERT W. PETERSON,
individually and dba PETERSON APPRAISAL
17 GROUP, and Does 1 through 50,

18 Defendants.

19 Pursuant to Federal Rules of Civil Procedure Rule 26(a)(1), Defendant JOSE ALFREDO
20 ARELLANO ("ARELLANO") and BERTHA MORENO (MORENO) hereby make the following
21 joint disclosures:
22

23 **A. Individuals likely to have discoverable information.**

- 24 1. Jose Alfredo Arellano, Atlas Financial Services, is party affiliated and may be contacted
25 through counsel. He is knowledgeable about certain loans entered into by and between
26

27 *Defendant Jose Alfredo Arellano's Initial Disclosure -*
28 *U.S. Dist. Ct. ND CAL Case #07-CV-04654-JF*

1 Landmark Home Mortgage, Inc. ("Landmark") and certain borrower defendants named in
2 this suit.

3 2. Bertha Alicia Moreno, Atlas Financial Services, is party affiliated and may be contacted
4 through counsel. She is knowledgeable about certain loans entered into by and between
5 Landmark and certain borrower defendants named in this suit.
6

7 3. All individuals described in the complaint, listed by other parties to this action, or
8 subsequently identified during the course of discovery may have discoverable information
9 relevant to Arellano and Moreno's claims and defenses.

10 4. Pursuant to Federal Rule 26 (e), Arellano and Moreno will supplement this list of individuals
11 likely to have discoverable information as it becomes aware of the identities of additional
12 persons during discovery.
13

14 **B. Documents in Arellano's possession, custody, or control that may be used to support**
15 **Moreno's claims, counter-claims or defenses.**

16 The files for Guillermo Flores, cross-defendant named in this matter, which were kept in the
17 ordinary course of business by the broker for Arellano and Moreno.
18

19 Pursuant to Federal Rule 26 (e), Arellano and Moreno will supplement this list of documents
20 as additional documents come to Arellano and Moreno's attention through a further search of his or
21 her records or through discovery in this case.

22 **C. Computation of damages.**

23 Other than attorney's fees and costs which might be obtained by Arellano and Moreno in
24 defending this action, Arellano and Moreno are unaware of any other damages at this time. Arellano
25
26

1 and Moreno reserve the right to disclose at the appropriate time the computation of his or her claims
 2 for attorney's fees and costs.

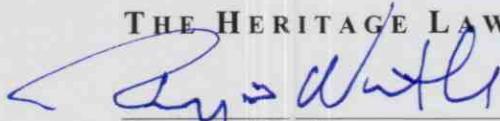
3 **D. Applicable insurance agreements.**

4 Arellano and Moreno are unaware of any applicable or available insurance at this time. They
 5 have filed a claim through their broker Alvin Silbernagel of Atlas Financial Services to Superior
 6 Claim Services, LLC, claim no RE-08-07-000027, policy number REO-2003988-03, which has not
 7 been approved. Whether insurance coverage is available to either Arellano and/or Moreno is still
 8 being investigated by the claims adjuster, Jaime Macial. Pursuant to Federal Rule 26 (e), Arellano
 9 and Moreno will supplement his initial disclosures as, and if, other information becomes available.
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 12 Dated: 12/11/07

Respectfully Submitted,

13 **THE HERITAGE LAW GROUP**

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15 Roger D. Wintle
 16 Attorneys for Defendant:
 17 JOSE ALFREDO ARELLANO and
 18 BERTHA MORENO
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